

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
WASHINGTON D.C.**

**ADI WORLDLINK, LLC; SAMSUNG  
ELECTRONICS AMERICA, INC. f/k/a/ SAMSUNG  
TELECOMMUNICATIONS AMERICAS, LLC**

**Respondents**

**and**

**CASE 07-CA-157722**

**TIM CURRY, OZIAS FOSTER, ROYCE ELLISON,  
MERVIN L. MCGIRT, CLARENCE COOK, KEVIN  
ASTROP, Individuals**

**Region 7 Charging Parties**

**and**

**CASE 20-CA-156284**

**NATHAN NESBIT,  
CHRIS CARETHERS, LAMAR HALL,  
LEON TOWNSEND, STEVEN LE,  
SEAN GOODSON, Individuals**

**Region 20 Charging Parties**

**COUNSEL FOR THE GENERAL COUNSEL’S  
MOTION TO STRIKE EXHIBITS C AND D TO RESPONDENT ADI  
WORLDLINK, LLC’S BRIEF IN SUPPORT OF ITS MOTION FOR SUMMARY  
JUDGEMENT AND REFERENCES TO EXHIBITS C AND D**

Now comes Patricia Fedewa, Counsel for the General Counsel, pursuant to Section 102.24 of the Board’s Rules and Regulations, Series 8, as amended, and moves that the Board strike both Exhibits C and D, attached to Respondent ADI Worldlink, LLC’s (Respondent Worldlink) Brief in Support of its Motion for Summary Judgment(“Brief”), and references to

Exhibit C on page 3 and Exhibit D on page 9 at footnote 5 of the Brief. In support of this motion, Counsel for the General Counsel states as follows:

1. Respondent Worldlink has attached to its Motion for Summary Judgment documents labeled as “Exhibits C and D,” which latter two documents are outside the scope of the pleadings. Respondent Worldlink has referenced Exhibit on page 3 and Exhibit D on page 9 at footnote 5 of its Brief.

2. Exhibit C appears to be an arbitration decision regarding its Joint Motion described in paragraph 10 of the Complaint. Exhibit C has not been entered as an exhibit. The parties have neither admitted nor stipulated to its authenticity or relevance, and it is not a pleading.

3. Exhibit D is a memoranda from the General Counsel’s office and is not binding on the Board. See *Steel Workers (Cequent Towing Products)*, 357 NLRB No. 48, slip op. at 527 (2011). It also has not been entered as an exhibit. The parties have neither admitted nor stipulated to its authenticity or relevance, and it is not a pleading.

4. Respondent’s effort to reference evidence outside the pleadings prejudices the due process rights of the General Counsel. The documents and the reference to Exhibit C on page 3 and to Exhibit D in footnote 5 of Respondent’s Brief should be stricken in their entirety. Exhibits C and D are not part of the record as defined by the Board’s Rules and Regulations Sec. 102.45(b), and thus, should be stricken.

WHEREFORE the undersigned respectfully requests that this Motion to Strike Exhibits C and D of Respondent ADI Worldlink, LLC’s Brief in Support of its Motion for Summary Judgment and References to those Exhibits, be granted.

Dated Detroit, Michigan, this 19<sup>th</sup> day of April, 2016.

/s/Patricia A. Fedewa  
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Region Seven  
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